

Appln No. 09/690,066
Amdt date March 3, 2006
Reply to Office action of October 21, 2005

REMARKS/ARGUMENTS

Claims 1, 2, 4-52, 54-94, 96-119 and 121-161 are pending, claims 1, 92, and 117 are amended to correct typographical errors.

The Examiner has not acknowledged receipt of the IDSs that were filed on May 2, 2001, and March 4, 2002. Applicants respectfully request acknowledgment of the IDSs by initialing and returning the attached copy of the same IDSs.

Claims 1, 2, 4-51, 54-94, 96-119 and 121-161 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,266,565 [sic] (should be 6,233,565) issued to Lewis (hereinafter "Lewis").

Applicants respectfully submit that the rejections are improperly expressed and that the Examiner is engaging in (improper) piecemeal examination.

In a first Office action dated 12/16/04, claims 1-161 were rejected under 35 U.S.C. §102(e) as being anticipated by Whitehouse (U.S. 6,005,945). In a response dated 4/18/05 applicants amended some relevant claims and distinguished Whitehouse. In a Final Office action dated 6/22/05, claims 1-161 were rejected under 35 U.S.C. §103(a) as being obvious over Whitehouse in view of **Lewis** (U.S. 6,233,565).

Applicants' attorney conducted an interview with the Examiner on July 26, 2005. While no formal agreement was reached on claim language, the Examiner and Applicants' attorney discussed language to clarify the functionality of the cryptographic modules. Specifically, the language "each of the plurality of cryptographic modules is programmable to service any of the user terminals" was discussed. The Examiner indicated that the use of this language would likely distinguish the claims in the set of applications under discussion.

In a response dated 8/22/05 applicants amended independent claims to include this language or similar language in light of the Interview and distinguished Whitehouse and **Lewis**, alone and in combination. In an Advisory Action dated 9/6/05, the Examiner refused to enter the amendment because "they raise new issues that would require further consideration and/or

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search." Subsequently, Applicants filed a Request for Continued Examination (RCE) on 9/19/05.

The current Office action dated 10/21/05 is consequently issued rejecting all of the pending claims under 35 U.S.C. §102(e) as being anticipated by **Lewis** and stating that "Applicant's argument with respect to claims 1-161 [sic] have been considered but are moot in view of **new ground(s)** of rejection." This by itself is an improper piecemeal examination because **Lewis** was already considered as a secondary reference in the previous Office action. MPEP 707.07(g) states that "piecemeal examination should be avoided as much as possible. The Examiner should reject each claim on all valid grounds available." The **Lewis** reference was already available and was considered on the previous Office action.

Additionally, the rejections in the current Office action are improperly expressed rejections. MPEP 707.07(d) states that "[a]n omnibus rejection of the claim 'on the references and for the reasons of record' is stereotyped and usually not informative and should therefore be avoided." Regardless of Applicants references to specific claim limitations and distinguishing those limitations over specific text of **Lewis** in their response of 8/22/05, the current Office action rejects the claims over **Lewis** reference in an omnibus and general manner and without mentioning any specific text, other than a large and broad portion of **Lewis** ("figs 1-3 and their accompany text"). See, Office action, page 3, first paragraph.

Furthermore, the current Office action rejects claims 2, 4-52, 54-94, 96-119 and 121-161 "since their disclosures are similar in nature and do not further limit the claims." (Office action, page 3, first sentence of the second paragraph.) Applicants respectfully disagree. Most of the above-mentioned claims indeed further limit claim 1 and other respective independent base claims. The current Office action also mentions that "the claimed limitation in claims 2, 4-52, 54-94, 96-119 and 121-161 are clear taught and anticipated by **Lewis**' disclosure," without any specific references to how and where in **Lewis** each of those limitations are taught. Again, this rejection is improper under MPEP 707.07(d), which states that "[a] plurality of claims should never be grouped together in a common rejection, unless that rejection is equally applicable to all

claims in the group." The current Office action fails to show how the Lewis reference is equally applicable to claims 2, 4-52, 54-94, 96-119 and 121-161.

Nevertheless and again, Applicants respectfully submit that Lewis does not teach the limitations of any of the pending claims.

For example, independent claim 1 includes, among other limitations "a plurality of cryptographic devices remote from the plurality of user terminals," "wherein each of the plurality of cryptographic devices is programmable to service any of the plurality of user terminals," and "wherein any respective cryptographic device authenticates the identity of each user and authenticates the user for a role."

In regard to the element of "a plurality of cryptographic devices remote from the plurality of user terminal," the system of Lewis does not have a plurality of cryptographic devices remote from the plurality of users. Rather, Lewis describes a single cryptographic module (14) that is remote from the users. As illustrated in FIG. 1, Lewis discloses a remote service provider (RSP) 4, and a third party seller of goods and/or services (TPS) 6... . The client 2n has a Host system 10n and a PSD 20n which is resident on a [single] server of RSP 4. The Host 10n accesses the remote PSD 20n via the Internet 30." (Col. 6, lines 39-59, emphasis added). The single server 4 comprises of its own single cryptographic module 14. (Col. 21, lines 64-65, emphasis added). Lewis further describes that each client 2n has its own cryptographic module 12. However, these client cryptographic modules 12 are not each "remote from the plurality of users." That is, at least one of the client cryptographic modules 12 is local to at least one user.

Regarding the claimed elements "wherein each of the plurality of cryptographic devices is programmable to service any of the plurality of user terminals," and "wherein any respective cryptographic device authenticates the identity of each user and authenticates the user for a role." Lewis fails to teach this element. First, as mentioned above, the system of Lewis does not have a plurality of cryptographic devices remote from the plurality of users. Second, even if *arguendo*, Lewis described a plurality of server cryptographic devices remote from the plurality of users, there is no description in Lewis that each of these imaginary server cryptographic devices is capable of authenticating any of the plurality of remote users. In fact, Lewis specifically

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describes that the cryptographic module 14 stores the Client Public Authentication Keys, which are used to prove the client's identity (that is, to authenticate the client), when a client attempts to establish a connection with the server 4. (Col 25, line 63-67. Also, see, Table III at the end of Col. 27, and col. 27, lines 58-59.).

Therefore, even if Lewis had a plurality of server cryptographic devices remote from the users, each of those devices would not have been able to service or authenticate any of the plurality of users, because each cryptographic device would have had to maintain and update the Public Authentication Keys for all of the clients. There is no teaching in Lewis about this. Furthermore, each of the imaginary server cryptographic devices of Lewis would have had to be "stateless device, meaning that a PSD package can be passed to any device because the application does not rely upon any information about what occurred with the previous PSD package." (Specification, page 8, lines 13-16). Moreover, a PSD package for each of the imaginary server cryptographic devices would have had to include "all data needed to restore the PSD to its last known state when it is next loaded into a [different] cryptographic module." (Id., lines 22-24). There is no teaching in Lewis about this either.

Accordingly, claim 1 is not anticipated by Lewis. Independent claims 92 and 117 include similar limitations and thus are not anticipated by Lewis either.

Independent claim 50 includes, among other limitations "securing the information about the users in the database by one or more of cryptographic devices remote from the plurality of user terminals, wherein each of the cryptographic devices accesses data elements for any of the user terminals," storing a plurality of security device transaction data in the database, wherein each transaction data is related to one of the plurality of users," and "verifying that the requesting user is authorized to assume a role and to perform a corresponding operation, the role limiting the user to a subset of commands provided." As discussed above, Lewis does not teach the above limitations. Therefore, claim 50 is not anticipated by Lewis either.

Independent claim 131 recites "A method for secure processing of a value bearing item on a computer network having a plurality of users using a plurality of computer terminals for connecting to the network and a plurality of cryptographic devices remote from the users and

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coupled to the network, each cryptographic device executing a plurality of security device transactions, the method comprising: requesting by a user authorization for a role, the role restricting the user to less than a full set of commands; assigning a security device transaction data to the requesting user, wherein the security device transaction data may be executed on any of the plurality of cryptographic devices; authenticating the identity of the user; granting the requested role; issuing a command that is available for the requested role; and executing the issued command, wherein each of the plurality of cryptographic devices processes data for any user."

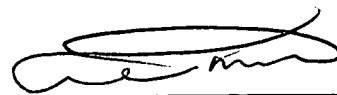
As explained above, Lewis does not teach one or more of the above limitations. Therefore, claim 131 is not anticipated by Lewis either.

In short, independent claims 1, 50, 92, 117 and 131 recite a patentable subject matter over cited references. Dependent claims 2,4-49, 51-52, 54-91, 93-116, 118-119, 121-130, and 132-161 depend from claims 1, 50, 92, 117 and 131, respectively and include all the limitations of their base claims and additional limitations therein. Accordingly, these claims are also allowable, as being dependent from an allowable independent claim and for the additional limitations they include therein and their allowance is requested.

In view of the foregoing amendments and remarks, it is respectfully submitted that this application is now in condition for allowance, and accordingly, reconsideration and allowance of this application are respectfully requested. If the Examiner believes that a telephone conference would be useful in moving this application forward to allowance, the Examiner is encouraged to contact the undersigned at (626) 795-9900.

Respectfully submitted,
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